

## SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2012-0008 Pressler Park 1

REQUEST: Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning the property locally known as 300 Pressler Street (Town Lake Watershed) from Limited Industrial, Conditional Overlay, Neighborhood Plan (LI-CO-NP) and Commercial Liquor Sales, Mixed Use, Conditional Overlay, Neighborhood Plan (CS-1-MU-CO-NP) combining district zoning to General Commercial Services, Conditional Overlay, Neighborhood Plan (CS-CO-NP) combining district zoning.

DEPARTMENT COMMENTS:

The conditions imposed by City Council on 1<sup>st</sup> reading have been incorporated into the ordinance and attachments.

APPLICANT: Parkview Partners (Jimmy Nassour), Pressler Park, L.L.C. (Larry Peel)

AGENT: Alice Glasco Consulting (Alice Glasco)

DATE OF FIRST READING: April 5th, 2012

CITY COUNCIL HEARING DATE: August 2nd, 2012

CITY COUNCIL ACTION: The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance for general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Mayor Pro Tern Cole's second on a 7-0 vote.

ORDINANCE NUMBER:

ASSIGNED STAFF: Clark Patterson

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2012-0008 Pressler Park I

**P.C. DATE:** 03/13/12

**ADDRESS:** 300 Pressler

**AREA:** 1.18 acres

**APPLICANT:** Parkview Partners (Jimmy Nassour), Pressler Park, L.L.C. (Larry Peel)

**AGENT:** Alice Glasco Consulting (Alice Glasco)

**NEIGHBORHOOD PLAN AREA:** Old West Central Austin

**CAPITOL VIEW:** No

**T.I.A.:** No.

**WATERSHED:** Town Lake

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** LI-CO-NP, Limited Industrial, Conditional Overlay, Neighborhood Plan and CS-1-MU-CO-NP, Commercial Liquor Sales, Mixed Use, Conditional Overlay, Neighborhood Plan.

**ZONING TO:** CS-NP, General Commercial Services, Neighborhood Plan.

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends CS-CO-NP, General Commercial Services, Conditional Overlay. Neighborhood Plan. The Conditional Overlay would prohibit the following uses: cocktail lounge, drop-off recycling collection facilities, exterminating services, adult oriented businesses, and adult lounges and would make the following uses conditional uses: automotive rentals, automotive repair services, automotives sales, automotive washing (of any type), commercial blood plasma center, construction sales and service, convenience storage, equipment repair services, equipment sales, guidance services, laundry services, maintenance and service facilities, residential treatment, and service stations.

### **PLANNING COMMISSION RECOMMENDATION:**

The motion to approve staff's recommendation for CS-CO-NP district zoning with cocktail lounge as a prohibited use, was approved on the consent agenda by Commissioner Jean Steven's motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Danette Chimenti and Dave Anderson were absent.

### **WATERFRONT PLANNING ADVISORY BOARD:**

This case was reviewed by the Waterfront Planning Advisory Board on February 13<sup>th</sup> and they recommended approval of the case on a vote of 4-0.

### **DEPARTMENT COMMENTS:**

This zoning case is within the boundaries of the Old West Austin Neighborhood Plan. The Old West Austin Neighborhood Plan does not include an adopted Future Land Use Map and therefore the requested zoning change of LI-CO-NP and CS-1-MU-CO-NP to CS-NP does not require a neighborhood plan amendment. The subject properties are within the "South of 6<sup>th</sup> Street" area identified in the Old West Neighborhood Plan. For this area, the neighborhood plan states that *"the neighborhood plan supports*

property owners' requests to rezone LI properties to W/LO, MF-1 through MF-6, and CS-CO with the Neighborhood Plan Combining District special use category 'Neighborhood Mixed Use Building' (for the CO, see list of uses identified as restricted in this plan under item #5)." The Conditional Overlay detailed in Action #5 recommends that CS zoning have prohibited uses for drop-off recycling collection facilities, exterminating services, adult oriented businesses, and adult lounges. In addition, it outlines conditional uses for automotive rentals, automotive repair services, automotives sales, automotive washing (of any type), commercial blood plasma center, construction sales and service, convenience storage, equipment repair services, equipment sales, guidance services, laundry services, maintenance and service facilities, residential treatment, and service stations.

The requested general commercial services zoning (CS) is consistent with the plan's goal for this area because it does include the conditional overlay for CS zoning recommended in the neighborhood plan. The inclusion of a conditional overlay with the aforementioned prohibited and conditional uses would make the proposed rezoning consistent with the Old West Neighborhood Plan.

This zone change request is located in the Lamar Subdistrict of the Waterfront Overlay District. The zone change request is not located within either the primary or the secondary setback of the Lamar Subdistrict. One of the stated goals of the Waterfront Overlay District is to "eliminate industrial uses". This zone change will effectively eliminate any future industrial development on this property. The Waterfront Planning Advisory Board recommended approval of the zone change request at their meeting of February 13<sup>th</sup>. This zone change request also has the support of the

#### **BASIS FOR RECOMMENDATION:**

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Granting CS-CO-NP would be in keeping with the Old West Austin Neighborhood Plan which calls for property zoned Limited Industrial (LI) to be down zoned to General Commercial Service (CS) or less intensive zoning.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	CS-1-MU-CO-NP & LI-CO-NP	Warehouse/Storage lot
<b>NORTH</b>	LI-CO-NP	Warehouse
<b>SOUTH</b>	P-NP	Parkland
<b>EAST</b>	LI-CO-NP	Warehouse
<b>WEST</b>	LI-CO-NP	Residential

#### **CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-07-0057 507 Pressler St.	From CS-MU-CO-NP to CS-MU-CO-NP	Approved CS-MU-CO-NP [Vote: 7-0]	Approved CS- MU-CO-NP [Vote: 5-0]

### **NEIGHBORHOOD ORGANIZATION:**

- Austin Neighborhoods Council
- West End Austin Alliance
- Old West Austin Neigh. Assoc.

### **SCHOOLS:**

Matthews Elementary School, O'Henry Middle School, Austin High School

### **SITE PLAN:**

This project is within the Waterfront Overlay Sub-district. 25-2-715 (C) Copies of administrative site plans submitted within the Waterfront Overlay shall be provided to the board to assist in maintaining a comprehensive understanding of all development activity affecting the waterfront.

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

This site is located in the [Desired Development Zone]. Expiration for a site plan will be three years from the date of approval however; under Project Duration [25-1-535(C)(3)] the site plan can only be extended to a maximum of five years from initial submittal date.

FYI - The following zoning overlays apply – Old West Austin NHP, Parkland Dedication Fee Zone, Comprehensive Cultural Resources, Residential Design Standards, and a tiny portion of this tract is in the Scenic Roadway Overlay. Additional comments will be made when the site plan is submitted.

### **TRANSPORTATION:**

The Austin Transportation Dept. has determined that Pressler Street will need to be built south of the Union Pacific Railroad and has determined that Paul Street will also need to be ended properly. The construction of these two street improvements may be deferred to the site plan stage.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

There are no bike lanes classified in the Bicycle Plan for Pressler Street and Paul Street.

Capital Metro bus service is not available along Pressler Street and Paul Street.

There are no existing sidewalks along Pressler Street and Paul Street.

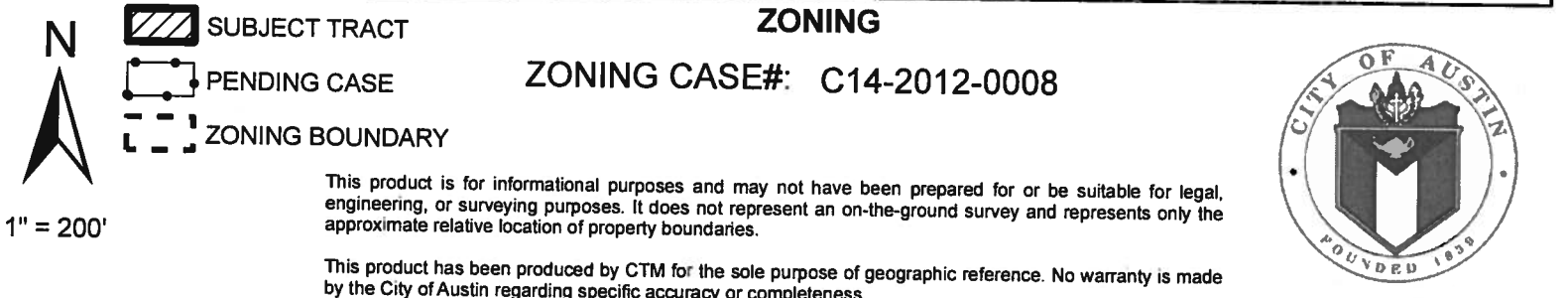
### **Existing Street Characteristics:**

Name	ROW	Pavement	Classification	ADT
Pressler Street	50'	Varies	Collector	899
Paul Street	35'	Varies	Collector	N/A
Union Pacific Railroad	Varies	N/A	Railway	N/A

**ENVIRONMENTAL:**

1. The site is located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**CITY COUNCIL DATE:** April 5th, 2012**ACTION:****ORDINANCE READINGS:**      1<sup>ST</sup>      2<sup>ND</sup>      3<sup>RD</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)**PHONE:** 974-7691







SUBJECT TRACT

WHSE

BASEBALL FIELD

TOWNE LAKE PARK

RESERVED

W-CESAR CHAVEZ SE

TOWNE LAKE





Google earth

feet 10  
meters 4







Google earth

feet 10  
meters 3





Google earth

feet 10  
meters 3



February 21, 2012

City of Austin

Attn: Clark Patterson

RE: C14-2012-0008 and C14-2012-0015

On behalf of Old West Austin Neighborhood Association (OWANA) through resolution approved by the current Steering Committee on January 6, 2012, OWANA wishes to express its support for the zoning change for cases C14-2012-0008(300 Pressler & 1409& 1501 West 3rd St); and C14-2012-0015(315 Pressler St). We understand and support the change of zoning from LI\_CO-NP Limited Industrial Service district and CS-1-MU-CO Commercial-Liquor Sales district to CS-NP General Commercial Services District with the condition that the project complies with the Waterfront Overlay restrictions and no more than 10% of the project is non-residential.

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Furthermore OWANA supports the preservation of ROW for Pressler Drive south of the UPRR, its improvement, maintenance, and creation of a vehicular and pedestrian connection through this development to Caesar Chavez.

IF you have questions please contact Larry Halford.

Regards,

Larry Halford

512-797-5917

Chair of Zoning and Land Use Committee - OWANA



category should be permitted, with the exception of 1008 Baylor Street and 1111 W. 11th Street due to consideration of conditions that insure compatibility with a residential character of the core. Preservation of existing older residential structures is strongly encouraged.

- In the **Lamar District**, 6<sup>th</sup> – 15<sup>th</sup> Street (lots between the center line of Lamar and the western edge of the residential area, defined above). 1201 and 1203 Baylor Street are included within the Lamar District. Allow mixed use development. Heights should be limited to 40 feet. The neighborhood plan recommends rezoning all CS and CS-1 properties on Lamar to allow mixed use development.

- In the **North 6<sup>th</sup> Street District** (lots along the north side of 6<sup>th</sup> Street): No zoning changes to a more permissive category. Exceptions:

- If zoned SF-3, allow rezoning to NO-MU-CO, where the CO is: fewer than 40 trips/day, business access through alley is prohibited (though residential access through alley is acceptable), business access through a street with minimum of width of 36' is required, and there shall be a 10' vegetative buffer or a 6' masonry fence that separates the business use (including parking) and adjacent residential property. Owner-occupied is encouraged.

- Existing properties with MF zoning or an MF use on the north side of 6<sup>th</sup> St. may be rezoned / re-developed to include a commercial component consistent with this plan (a square footage ratio of 3:1, residential to commercial). Any redevelopment must not negatively impact surrounding residences, considering factors including but not limited to height, traffic, visual character, and other compatibility concerns.

- Rezoning of commercially zoned properties that do not change the base district but add mixed use should be permitted, if the existing building and character are maintained. Preservation of existing single-house structures is strongly encouraged.

- In the area **South of 6<sup>th</sup> Street** (all lots south of the center line of 6<sup>th</sup> Street):

- The neighborhood plan supports property owners' requests to rezone LI properties to W/LO, MF-1 through MF-6, and CS-CO with the Neighborhood Plan Combining District special use category "Neighborhood Mixed Use Building" (for the CO, see list of uses identified as restricted in this plan under item #5).

- No rezonings to a commercial category more permissive than CS-CO (as specified under item #5) should be permitted, except as noted above for LI properties.

- On the south side of 6<sup>th</sup> Street, for the lots fronting on 6<sup>th</sup>, no zoning changes to a more permissive base district should be permitted. Rezoning that do not change the base district but add mixed use capability should be permitted, if the existing building and character are maintained. Preservation of existing single-house structures is strongly encouraged.

- Action 2: Apply the Neighborhood Plan Combining District special use category "Neighborhood Mixed Use Building" and the Mixed Use Combining District to all properties zoned CS, CS-1, or LI from the north side of 6<sup>th</sup> Street to the center line of 5<sup>th</sup> Street. (City Action Item: DRID).
- Action 3: Allow mixed use development on the west side of Lamar Blvd. between 3<sup>rd</sup> and Enfield. Apply the Neighborhood Plan Combining District special use category "Neighborhood Mixed Use Building" and the Mixed Use Combining District to all lots on Lamar zoned CS, CS-1, or LI. The neighborhood plan discourages variances for this area, especially considering compatibility with nearby residences. Establish a height limit of 40' for properties on Lamar between the north side of 6<sup>th</sup> Street and Parkway. (City Action Item: DRID).
- Action 4: Allow addition of residential (mixed-use development) on West Lynn from 10<sup>th</sup> Street to 13<sup>th</sup> Street on properties that already have both commercial zoning and a commercial use, by applying the Neighborhood Plan Combining District special use category "Neighborhood Mixed Use Building" and the Mixed Use Combining District. Preserve residential uses and SF-3 zoning on the west side of Eason Street, which shares lots with West Lynn. In order to preserve the existing residential housing stock in the neighborhood, no rezonings from residential to commercial are recommended for West Lynn. To develop commercial structures that are compatible with the residential character of the neighborhood, building height will be limited to 40' and three stories for commercially zoned properties on West Lynn from 10<sup>th</sup> Street to 13<sup>th</sup> Street. (City Action Item: DRID)

## **Goal 2 - Protect the Character of the Neighborhood**

### **Obj 2.1 – Encourage commercial uses that support the neighborhood.**

- Action 5: Establish zoning overlay for LI, CS, and CS-1 zoning in neighborhood as follows: (City Action Item: DRID / PECSD)

#### ***Limited Industrial (LI):***

##### **LI Conditional Uses**

Automotive Rentals  
Automotive Repair Services  
Automotive Sales  
Automotive Washing (of any type)  
Construction Sales and Service  
Convenience Storage  
Equipment Repair Services

## § 25-2-736 LAMAR SUBDISTRICT REGULATIONS.

- (A) This section applies in the Lamar subdistrict of the WO combining district.
- (B) The primary setback lines are located:
  - (1) 100 feet landward from the Town Lake shoreline; and
  - (2) 90 feet from the Johnson Creek centerline.
- (C) The secondary setback line is located 100 feet landward from the primary setback line that is parallel to the Town Lake shoreline.
- (D) For a structure located within 140 feet of the Johnson Creek centerline, the maximum height is the lower of 35 feet or the maximum height allowed in the base zoning district. For all other structures, the maximum height is the lower of 60 feet or the maximum height allowed in the base zoning district.
- (E) Surface parking is prohibited, except for a parking area for buses, van pooling, the handicapped, or public access to park land.
- (F) A garage access point or curb cut is prohibited if the pattern or alignment of the surrounding, existing sidewalks would be disrupted.

*Source: Section 13-2-702(b); Ord. 990225-70; Ord. 000309-39; Ord. 031211-11; Ord. 20090611-074.*



## § 25-2-691 WATERFRONT OVERLAY (WO) DISTRICT USES.

- (A) This section applies to the waterfront overlay (WO) district, except for a community events use.
- (B) A residential use that is permitted in an MF-6 or more restrictive base district is also permitted in an NO or less restrictive base district.
- (C) A pedestrian-oriented use is a use that serves the public by providing goods or services and includes:
- (1) art gallery;
  - (2) art workshop;
  - (3) cocktail lounge;
  - (4) consumer convenience services;
  - (5) cultural services;
  - (6) day care services (limited, general, or commercial);
  - (7) food sales;
  - (8) general retail sales (convenience or general);
  - (9) park and recreation services;
  - (10) residential uses;
  - (11) restaurant (limited or general) without drive-in service; and
  - (12) other uses as determined by the Land Use Commission.
- (D) Pedestrian oriented uses in an MF-1 or less restrictive base district:
- (1) are permitted on the ground floor of a structure; and
  - (2) may be permitted by the Land Use Commission above the ground floor of a structure.
- (E) A determination by the Land Use Commission under Subsection (D)(1) may be appealed to the council. For the City Hall subdistrict, a determination by the Land Use Commission under Subsection (C)(11) may be appealed to council.

*Source: Section 13-2-228; Ord. 990225-70; Ord. 990715-115; Ord. 990902-57; Ord. 010607-8; Ord. 031211-11; Ord. 031211-41; Ord. 040617-Z-1.*



EDUCATIONAL IMPACT STATEMENT  
AUSTIN INDEPENDENT SCHOOL DISTRICT  
CITY COUNCIL AGENDA:

CASE NUMBER: C14-2012-0008



Proposed Development:

200 unit (size and number of bedrooms unspecified) apartment complex at 300 Pressler Dr.

Elementary School  
Name: Mathews ES  
Address: 906 West Lynn St.  
Capacity: 397  
Rating: Exemplary  
Percent F/RL: 42%  
Mobility Rate: +28%

☐ Increase ☐ Decrease\* ☒ No impact

Students	Current Population	Future (5 year)
Number	274	319 (w/o development) 329 (w/ development)
Percentage of permanent capacity	69%	80% (w/o development) 83% (w/ development)

Middle School  
Name: O. Henry MS  
Address: 2610 W 10th St  
Capacity: 945  
Rating: Academically Acceptable  
Percent F/RL: 36%  
Mobility Rate: +20%

☐ Increase ☐ Decrease\* ☒ No impact

Students	Current Population	Future (5 Year)
Number	858	930 (w/o development) 934 (w/ development)
Percentage of permanent capacity	91%	98%(w/o development) 99% (w/ development)

High School  
Name: Austin HS  
Address: 1715 W 1st Street  
Capacity: 2,205  
Rating: Academically Acceptable  
Percent F/RL: 33%  
Mobility Rate: +15%

☐ Increase ☐ Decrease\* ☒ No impact

Students	Current Population	Future (5 Year)
Number	1,962	2,133 (w/o development) 2,129 (w/ development)
Percentage of permanent capacity	89%	97% (w/o development) 97% (w/ development)

\*Demographic characteristics of students will be reported

Impact on Student Population:

At the rate of 0.1 students per unit, the 200 unit multi-family development is projected to add approximately 20 students over all grade levels to the current projected student population. It is estimated that of the 20 students, ten will be assigned to Mathews Elementary School, four to O. Henry Middle School, and six to Austin High School. The existing permanent capacity at all three schools will be able to accommodate the additional student population.



EDUCATIONAL IMPACT STATEMENT  
AUSTIN INDEPENDENT SCHOOL DISTRICT  
CITY COUNCIL AGENDA:

CASE NUMBER: C14-2012-0008



Transportation Impact:	All three schools, Mathews ES, O.Henry MS and Austin HS are within 2 miles of the proposed development, therefore students would not qualify for transportation unless a hazardous route condition was identified.
Safety Impact:	There are not safety concerns identified at this time. Adequate sidewalks and bike paths are available in the area.
Date Prepared:	March 6, 2012
Director's Signature	<i>Paul Turner</i>



## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number: C14-2012-0008**

**Contact: Clark Patterson, (512) 974-7691**

**Public Hearing: Mar 13, 2012, Planning Commission**

**April 5, 2012, City Council**

☐ I am in favor  
☐ I object

Your Name (please print)

Stephen Griffith

Your address(es) affected by this application

1508 W. 5th St

3/7/12  
Date

Signature

474 7784

Daytime Telephone:

O.K.

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810